## BEFORE THE BOARD OF OIL, GAS AND MINING DEPARTMENT OF NATURAL RESOURCES STATE OF UTAH

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IN THE MATTER OF THE REQUEST FOR

NOTICE OF HEARING

AGENCY ACTION BY BARRICK RESOURCES

(USA) AND BARRICK GOLD CORPORATION,

REQUESTING PARTIAL RELEASE OF SURETY

FOR MINING AND RECLAMATION PLAN

M/045/017, TOOELE COUNTY, UTAH.

DOCKET NO. 2004-022

CAUSE NO. M/045/017

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE ENTITLED MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, DECEMBER 1, 2004, at 10:00 a.m., or as soon thereafter as possible, in the Board Room of the Department of Natural Resources, 1594 West North Temple, Suite 1050, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. (2002) as provided for by Utah Code Ann. § 40-8-1 et seq. (1998) and Utah Code Ann. § 63-46b-1 et seq. (2002).

The purpose of the proceeding will be for the Board to receive testimony and evidence regarding an Order:

- 1. Approving a reduction in the amount of surety under a Board-approved, Self-Bonding Agreement, as a result of reclamation work that has been completed at the Barrick Mercur Mine located in Tooele County, Utah.
- 2. Providing such other relief as may be just and proper under the circumstances.

Objections to this matter should be filed with the Secretary of the Board at the address listed below no later than NOVEMBER 17, 2004. Objections filed later may be considered by the Board at or before the regularly scheduled hearing for good cause shown. A party who fails to attend or participate in the hearing may be held in default.

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Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts. Attorney representation may be waived by the Board upon petition and good cause shown.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Mary Potter at (801) 538-5327, at least three working days prior to the hearing date.

DATED this 8 day of November, 2004.

STATE OF UTAH BOARD OF OIL, GAS AND MINING W. Allan Mashburn, Chairman

Mary E. Protler /s/ Mary E. Potter

Secretary to the Board

1594 West North Temple, Suite 1210

Salt Lake City, Utah 84116

(801) 538-5327

## **CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2004-022, Cause No. M/045/017 to be mailed with postage prepaid, this 10 H day of November, 2004, to the following:

CERTIFIED MAIL
7003 1680 0004 2434 0969
Jim Butler
PARSONS BEHLE & LATIMER
Attorneys for Barrick Resources (USA)
201 South Main Street, Suite 1800
Salt Lake City, UT 84111

Michael S. Johnson Assistant Attorney General Utah Board of Oil, Gas & Mining 1594 West North Temple, Suite 300 Salt Lake City, UT 84116 (Hand Delivered)

Stephen Schwendiman Assistant Attorney General Utah Board of Oil, Gas & Mining 160 East 300 South, 5th Floor P.O. Box 140815 Salt Lake City, UT 84114-0815 Steven F. Alder Alison D. Garner Assistant Attorneys General Utah Division of Oil, Gas & Mining 1594 West North Temple, Suite 300 Salt Lake City, UT 84116 (Hand Delivered)

Mary Ann Wright, Acting Director Utah Division of Oil, Gas and Mining 1594 West North Temple, Suite 1210 P.O. Box 145801 Salt Lake City, UT 84114-5801 (Hand Delivered)

Barrick Resources (USA) and Barrick Gold Corporation Attn: Rocky Chase 136 East South Temple, Suite 1300 Salt Lake City, UT 84111

Crane Holland

## SUPPLEMENTAL CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2004-022, Cause No. M/045/017 to be mailed with postage prepaid, this 16th day of December, 2004, to the following:

Geyser Marion Gold Mining Company Sacramento Gold Mining Company 4198 Blandon Road Eugene, OR 97405

Rolland P. Crane 2935 Broadmoor Drive South East Rio Rancho, NM 87124

Snyder Mines Inc. 3745 South 3100 East Salt Lake City, UT 84109

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## **CERTIFICATE OF PUBLISHED NOTICE**

I hereby certify that I caused the foregoing NOTICE OF HEARING for Docket No. 2004-022, Cause No. M/045/017 to be PUBLISHED at the following newspapers on the following days:

November 14, 2004:

<u>The Salt Lake Tribune</u> and <u>Deseret Morning News</u>, newspapers of general circulation in Salt Lake City and County.

November 11, 2004:

<u>Tooele Transcript Bulletin</u>, a newspaper of general circulation in the County of Tooele.

Diane Holland